

REMARKS

The final Office Action mailed April 12, 2007 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 3-7 and 9-21 are now pending in this application. Claims 1, 2, 4, 5, 7 and 9 stand rejected. Claims 3, 6 and 10-20 have been withdrawn by the Examiner from further consideration. Claim 21 is newly added. No additional fee is due for newly added Claim 21.

Applicants and the undersigned wish to express their appreciation to the Examiner for the courtesies he extended during the telephone interview that occurred on July 16, 2007. During the interview, the Office Action dated May 11, 2007 was discussed. More specifically, the Examiner explained his position regarding the Section 112 rejection set forth in the outstanding Office Action.

Applicants acknowledge and thank the Examiner for the indication that Claims 2, 4 and 5 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. By the above amendment, independent Claims 1 and 7 have been amended to include recitations similar to the recitations of previously presented dependent Claim 2.

The rejection of Claims 1, 2, 4, 5, 7 and 9 under 35 U.S.C. § 112, second paragraph, is respectfully traversed.

By the above amendment, independent Claims 1 and 7 have been amended to address the rejection. Applicants respectfully submit that the above amendment overcomes the rejection and notification to that effect is solicited.

For at least the reasons set forth above, Applicants respectfully request that the Section 112, second paragraph rejection of Claims 1, 2, 4, 5, 7 and 9 be withdrawn.

The rejection of Claims 1, 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,478,465 to Sulcek (hereinafter referred to as "Sulcek") is respectfully traversed.

Sulcek describes a refuse packing apparatus having a hollow closure that includes a handle along an upper edge and a literature storage means within the closure. A downwardly sloping slot is formed in the handle such that the literature can be inserted into a pocket formed within the closure.

Claim 1 recites an escutcheon for an appliance door assembly including “a front edge and a rear edge horizontally spaced from said front edge, said front and rear edges vertically depending from an escutcheon upper surface; a control panel mounting portion comprising a mounting surface and a lower edge, said control panel mounting portion extending upwardly and inwardly from said lower edge and between said front and rear edges, said control panel mounting portion including a plurality of openings therethrough; and a plurality of formations downwardly depending from said lower edge, said plurality of formations defining a retaining slot configured to receive an appliance door panel, said plurality of formations comprising a plurality of positioning ribs extending into said retaining slot and configured to engage the appliance door panel.”

Sulcek does not describe or suggest an escutcheon, as recited in Claim 1. More specifically, Sulcek does not describe or suggest a plurality of formations downwardly depending from a lower edge, wherein the formations define a retaining slot configured to receive an appliance door panel, and include a plurality of positioning ribs extending into the retaining slot and configured to engage the appliance door panel, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Sulcek merely describes a hollow closure that includes a handle that forms a downwardly sloping slot for storing literature.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Sulcek.

Claim 7 recites an escutcheon for a dishwasher door assembly including “a lower edge of a control panel mounting portion and a plurality of formations depending therefrom, said plurality of formations defining a retaining slot configured to receive an appliance door panel, said plurality of formations comprising a plurality of positioning ribs extending into said retaining slot and configured to engage the upper edge of the appliance door panel.”

Sulcek does not describe or suggest an escutcheon, as recited in Claim 7. More specifically, Sulcek does not describe or suggest a plurality of formations depending from a

lower edge of a control panel mounting portion, wherein the formations define a retaining slot configured to receive an appliance door panel, and include a plurality of positioning ribs extending into the retaining slot and configured to engage the upper edge of the appliance door panel, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Sulcek merely describes a hollow closure that includes a handle that forms a downwardly sloping slot for storing literature.

Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Sulcek.

Claim 9 depends from independent Claim 7. When the recitations of Claim 9 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 9 likewise is patentable over Sulcek.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 7 and 9 be withdrawn.

The rejection of Claims 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,466,062 to McPherson et al. (hereinafter referred to as "McPherson") is respectfully traversed.

McPherson describes a drawer having a front panel (12) and a pull (14) attached to the front panel. The front panel has a front wall (16) with a top flange (20) that extends rearwardly from a top portion of the front wall and a back flange (24) extending downwardly from the top flange. A locking element (44) is attached to the rear portion of the pull. A first aperture (40) is located on the back flange of the front panel. The locking element mates with the first aperture to secure the pull to the front panel.

Claim 7 recites an escutcheon for a dishwasher door assembly including "a lower edge of a control panel mounting portion and a plurality of formations depending therefrom, said plurality of formations defining a retaining slot configured to receive an appliance door panel, said plurality of formations comprising a plurality of positioning ribs extending into said retaining slot and configured to engage the upper edge of the appliance door panel."

McPherson does not describe or suggest an escutcheon, as recited in Claim 7. More specifically, McPherson does not describe or suggest a plurality of formations depending

from a lower edge of a control panel mounting portion, wherein the formations define a retaining slot configured to receive an appliance door panel, and include a plurality of positioning ribs extending into the retaining slot and configured to engage the upper edge of the appliance door panel, as required by Applicants' claimed invention. Rather, in contrast to the present invention, McPherson describes a drawer including a locking element attached to a pull that mates with an aperture located on the front panel of the drawer to secure the pull to the front panel.

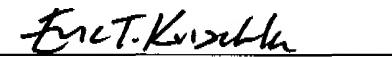
Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over McPherson.

Claim 9 depends from independent Claim 7. When the recitations of Claim 9 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 9 likewise is patentable over McPherson.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 7 and 9 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,


Eric T. Krischke
Registration No. 42,769
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070